

JAN 22 2001

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/693,643	10/20/2000	Pramod K. Srivastava	8449-073-999

20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

FORMALITIES LETTER



OC000000005657122

Date Mailed: 01/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$3310.
 - \$2430 for 135 total claims over 20.
 - \$880 for 11 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 4150.

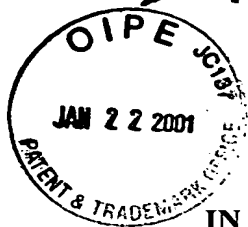
A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/26/2001 CNGUYEN 00000062 161150 09693643
01 FC:101 710.00 CH
02 FC:102 880.00 CH
03 FC:103 2430.00 CH
04 FC:105 130.00 CH

Express Mail No.: EL 501 637 296 US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Pramod K. Srivastava

Application No.: 09/693,643

Group Art Unit: 1653

Filed: October 20, 2000

Examiner: Not Yet Assigned

For: Using Heat Shock Proteins To
Increase Immune Response

Attorney Docket No.: 8449-073-999

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATIONAssistant Commissioner for Patents
Washington, DC 20231

Sir:

Pursuant to a Notice to File Missing Parts of Application ("Notice") dated January 5, 2001 in connection with the above-identified application, Applicant submits herewith: (a) a copy of the Notice; (b) a Declaration executed by the inventor on January 16, 2001; (c) a Power of Attorney executed by the assignee on January 19, 2001; and (d) the surcharge of \$65.00 required to be filed with the accompanying Declaration under 37 C.F.R. § 1.16(e). Applicant concurrently files with the U.S. Patent and Trademark Office Verified Statements Claiming Small Entity Status and a Request for Refund under 37 C.F.R. § 1.28(a) in connection with the above-identified application.

The Notice requires payment of the statutory basic filing fee in the amount of \$710.00 and an additional claims fee in the amount of \$3310.00. Applicant respectfully submits that an Application Fee Transmittal was filed with the above-identified application at the time of filing, a copy of which is enclosed herewith. Also enclosed is a copy of the stamped postcard receipt evidencing receipt of the Fee Transmittal by the U.S. Patent and

Trademark Office. Accordingly, Applicant believes that the statutory basic fee and the additional claims fee have already been paid; however, if these fees are still required, please charge the required fees, estimated to be \$2010.00 to Pennie & Edmonds LLP Deposit Account No. 16-1150.

In addition, with respect to the surcharge required to be filed with the accompanying Declaration under 37 C.F.R. § 1.16(e), Applicants estimate that a fee in the amount of \$65.00 is due. Please charge this required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150, along with any deficiencies in fees due. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 22, 2001


Adriane M. Antler 32,605
(Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, NY 10036-2711
(212) 790-9090



Express Mail No.: EL 501 637 296 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Pramod K. Srivastava

Application No.: 09/693,643

Group Art Unit: 1653

Filed: October 20, 2000

Examiner: Not yet assigned

For: USING HEAT SHOCK PROTEINS TO
INCREASE IMMUNE RESPONSE

Attorney Docket No.: 8449-073-999

REQUEST FOR REFUND PURSUANT TO 37 C.F.R. § 1.28(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

Attention: Refund Section, Accounting Division

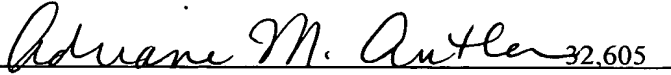
Sir:

On October 20, 2000, Applicant filed an Application Fee Transmittal authorizing fees in the amount of \$4,290.00 to be charged to the deposit account of Attorneys for Applicant, No. 16-1150. On January 5, 2001, the U.S. Patent and Trademark Office mailed a Notice to File Missing Parts, requiring payment of these fees. Applicants are therefore uncertain whether these fees were indeed charged to Deposit Account No. 16-1150. In the event that the authorized fees of \$4,290.00 were charged to the deposit account, Applicant requests a refund of half of the filing fees that have been paid, *i.e.*, \$2145.00. Submitted concurrently herewith are Verified Statements Claiming Small Entity Status for the assignee, the University of Connecticut Health Center; and Antigenics, Inc., an entity having certain rights in the invention. Pursuant to 37 C.F.R. § 1.28(a), Applicant requests a refund of the excess amount within three months of its timely payment.

Accordingly, in the event that these fees were charged to the deposit account of Attorneys for Applicant, please refund the excess by crediting **\$2,145.00** to Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date: January 22, 2001


Adriane M. Antler 32.605
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Enclosures



Express Mail No.: EL 501 637 296 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Pramod K. Srivastava

Application No.: 09/693,643

Group Art Unit: 1653

Filed: October 20, 2000

Examiner: Not yet assigned

For: USING HEAT SHOCK PROTEINS TO INCREASE
IMMUNE RESPONSE

Attorney Docket No.: 8449-073-999

**TRANSMITTAL OF VERIFIED STATEMENTS AND
REQUEST TO ESTABLISH SMALL ENTITY STATUS**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:


The Applicant submits herewith the following documents for the above-mentioned application: (1) a Verified Statement Claiming Small Entity Status for the University of Connecticut Health Center; and (2) a Verified Statement Claiming Small Entity Status for Antigenics, Inc.

The Applicant has assigned his entire right, title and interest in the instant application to the University of Connecticut Health Center. The University of Connecticut Health Center has granted certain rights in the application to Antigenics, Inc. The University of Connecticut qualifies as a Small Entity under 37 C.F.R. §§ 1.9(f) and 1.27(d). Antigenics, Inc. qualifies as a Small Entity under 37 C.F.R. §§ 1.9(f) and 1.27(c).

It is respectfully requested that the application be accorded Small Entity Status in accordance with 37 C.F.R. §§ 1.9(f), 1.27(c) and 1.27(d).

Respectfully submitted,

Date: January 22, 2001


Adriane M. Antler 32,605
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Enclosures